

“(3) AIDING AND ABETTING LIABILITY.—In an action under paragraph (2) for an injury arising from an act of fentanyl trafficking in or into the United States, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of fentanyl trafficking.

“(4) EFFECT ON OTHER FOREIGN SOVEREIGN IMMUNITIES.—Nothing in paragraph (3) affects immunity of a foreign state from jurisdiction under other law.

“(d) RULE OF CONSTRUCTION.—A foreign state shall not be subject to the jurisdiction of the courts of the United States under subsection (b) on the basis of an omission or a tortious act or acts that constitute mere negligence.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605B the following:

“1605C. Responsibility of foreign states for the trafficking of fentanyl into the United States.”.

(2) Subsection 1605(g)(1)(A) of title 28, United States Code, is amended by striking “or section 1605B” and inserting “, 1605B, or 1605C”.

SEC. 4. STAY OF ACTIONS PENDING STATE NEGOTIATIONS.

(a) EXCLUSIVE JURISDICTION.—The courts of the United States shall have exclusive jurisdiction in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605C of title 28, United States Code, as added by section 3(a) of this Act.

(b) INTERVENTION.—The Attorney General, in consultation with the Administrator of the Drug Enforcement Administration, may intervene in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605C of title 28, United States Code, as added by section 3(a) of this Act, for the purpose of seeking a stay of the civil action, in whole or in part.

(c) STAY.—

(1) IN GENERAL.—A court of the United States may stay a proceeding against a foreign state in an action brought under section 1605C of title 28, United States Code, as added by section 3(a) of this Act, if the Secretary of State certifies that the United States is engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

(2) DURATION.—

(A) IN GENERAL.—A stay under this section may be granted for not more than 180 days.

(B) EXTENSION.—

(i) IN GENERAL.—The Attorney General may petition the court for an extension of the stay for additional 180-day periods.

(ii) RECERTIFICATION.—A court shall grant an extension under clause (i) if the Secretary of State recertifies that the United States remains engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

SEC. 5. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of the provisions and amendments to any other person not similarly situated or to other cir-

cumstances, shall not be affected by the holding.

SEC. 6. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action—

(1) pending on, or commenced on or after, the date of enactment of this Act; and

(2) arising out of an injury to a person, property, or business on or after January 1, 2013.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 38—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

Mr. REED submitted the following resolution; from the Committee on Armed Services; which was referred to the Committee on Rules and Administration:

S. RES. 38

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services (in this resolution referred to as the “committee”) is authorized from March 1, 2023, through February 28, 2025, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2023.—The expenses of the committee for the period March 1, 2023, through September 30, 2023, under this resolution shall not exceed \$5,751,700, of which amount—

(1) not to exceed \$37,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$11,667 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2024 PERIOD.—The expenses of the committee for the period October 1, 2023, through September 30, 2024, under this resolution shall not exceed \$9,846,646, of which amount—

(1) not to exceed \$65,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2025.—The expenses of the committee for the period October 1, 2024, through February 28, 2025, under this resolution shall not exceed \$4,108,929, of which amount—

(1) not to exceed \$27,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$8,333 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2023, through September 30, 2023;

(2) for the period October 1, 2023, through September 30, 2024; and

(3) for the period October 1, 2024, through February 28, 2025.

SENATE RESOLUTION 39—AUTHORIZING EXPENSES BY THE COMMITTEE ON VETERANS’ AFFAIRS

Mr. TESTER submitted the following resolution; which was referred from the Committee on Veterans’ Affairs; to the Committee on Rules and Administration:

S. RES. 39

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans’ Affairs (in this resolution referred to as the “committee”) is authorized from March 1, 2023, through February 28, 2025, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.